

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY MORGAN AND DAVID  
NIEVES, as Putative  
Administrators of the Estate of  
Their Brother Michael Nieves

**ORDER**

23 Civ. 1079 (NRB)

Plaintiffs,

- against -

CITY OF NEW YORK AND DOES #1-  
11,

Defendants.

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

WHEREAS, the Court held an initial pretrial conference on May 17, 2023; and

WHEREAS, plaintiffs' counsel submitted a proposed discovery schedule on May 26, 2023; and

WHEREAS, the Corporation Counsel for the City of New York filed a letter on June 1, 2023, requesting a stay of discovery pending the ongoing New York City Department of Correction ("DOC") investigation; and

WHEREAS, plaintiffs' counsel filed a letter on June 6, 2023 opposing the stay; and

WHEREAS, plaintiff has not articulated any actual prejudice resulting from briefly holding the case in abeyance; it is hereby

**ORDERED** that the case is stayed for ninety (90) days; it is

further

**ORDERED** that prior to the expiration of the 90 days, the Corporation Council shall provide a status update on the expected duration of the investigation and the basis for any requested continuance of the stay.

Dated: New York, New York  
June 12, 2023

A handwritten signature in blue ink, reading "Naomi Reice Buchwald". The signature is fluid and cursive, with the first name "Naomi" being particularly prominent.

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE